



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



September 19, 2002

LETTER OF DEFICIENCY# WSEB 02-136
Certified Mail #7099 3400 0003 0692 2884

Jeanne Nickerson
297 Old Homestead Highway
East Swanzey, NH 03446

Subject: Swanzey - Public Water System: Swanzey Diner (EPA #2308010)

Dear Ms. Nickerson

The records of the NH Department of Environmental Services (DES) show that the Swanzey Diner water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit chemical samples according to the system's established sampling schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rule Env-Ws 326. Pursuant to Env-Ws 351, the failure to submit a chemical sample within the assigned sampling quarter requires that public notice of such failure be given to all consumers.

DES records show that the subject water system failed to submit the following chemical sample results for the following monitoring period (calendar quarter).

Quarter 2 – 2002
Nitrate and Nitrite

DES believes the monitoring/reporting deficiency can be addressed by taking the following actions:

- By October 11, 2002**, submit the Quarter 2- 2002 nitrate and nitrite samples as a "make-up samples" to the State laboratory or a State-certified laboratory. Please use the enclosed analysis result form when submitting the samples to your laboratory.
2. **By October 11, 2002**, provide public notice of the failure to submit the Quarter 2– 2002 nitrate and nitrite samples, as specified on the enclosed form; and
- 3 **By October 18, 2002**, provide proof of public notice to DES, as specified on the enclosed form.

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In the event compliance is not achieved within this period, DES may take further enforcement action. These actions include issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The proof of public notice as requested above should be addressed as follows or faxed to (603) 271-5171:

Jeanne D. Lawson
Department of Environmental Services
Water Supply Engineering Bureau
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Please contact Jeanne Lawson at (603) 271-6703 or by email at jlawson@des.state.nh.us, if you have any questions regarding this letter.

Sincerely,



COPY

Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

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Enclosure: Analysis Request Form
Public Notice Form

cc: Gretchen Rule, DES Legal Unit (w/o encl.)
Robert DeRocher, Town of Swanzey Health Officer (w/o encl.)
EPA, Region 1 (w/o encl.)